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UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of Jerrold Franklin, et al.)

Date: July 6, 2004

Application No.: 09/834,389

Group Art Unit: 1745

Filed: April 13, 2001

Examiner: Greg Cantelmo

For: Integrated and Modular BSP/MEA
Manifold Plates for Fuel Cell Use

Attorney Ref. No.: 109.04

Response to Office Action with After-Final Amendments

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir or Madam:

In response to the office action dated April 5, 2005, the applicants respectfully submit the following remarks and amendments.

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Remarks

The applicants have now amended the claims to overcome the two obstacles to patentability that the examiner has identified.

First, the applicants have removed the statement in their claims that the bipolar separator plate (BSP) overlaps "a substantial portion of said flexible membrane electrode [MEA] assembly". The examiner had found that this limitation lacked support, in violation of 35 USC § 112, since the original specification did not depict the BSP overlapping the MEA. Without conceding the § 112 rejection, the applicants have amended their claims to remove this requirement.